

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY – CAMDEN VICINAGE**

CITY SELECT AUTO SALES, INC., a New Jersey corporation, individually and as the representative of a class of similarly-situated persons,

Plaintiff,

V.

BMW BANK OF NORTH AMERICA,  
INC., BMW FINANCIAL SERVICES NA,  
LLC, CREDITSMARTS CORP., and JOHN  
DOES 1-12,

Defendants.

Case No. 1:13-cv-4595-NLH-JS

Hon. Noel L. Hillman, J.

Hon. Joel Schneider, Mag. J.

## JOINT STATUS REPORT

Plaintiff, City Select Auto Sales, Inc. (“Plaintiff”), and Defendants, BMW Bank of North America, Inc., BMW Financial Services NA, LLC, and Creditsmarts Corp. (“Defendants”) (collectively the “Parties”), through their attorneys, submit this status report pursuant to the Court’s February 2, 2018 order (Dkt. No. 139) and to provide the Court with an update on the parties’ mediation efforts.

1. On February 14, 2018, the parties participated in mediation with the Honorable James R. Epstein (Ret.). The parties are negotiating the details of a settlement reached through that mediation effort and request that the Court continue to defer any decision on class certification for an additional 60 days (in part due to the pre-scheduled vacations of counsel). Within that time, the parties will either move for preliminary approval of an agreed-upon settlement or provide confirmation that the parties were unable to agree on the details of the settlement and intend to move forward with litigation.

Dated: February 16, 2018

Respectfully submitted,

CITY SELECT AUTO SALES, INC., a  
New Jersey corporation, individually and as  
the representative of a class of similarly-  
situated persons,

/s/ Alan C. Milstein

Alan C. Milstein  
Sherman, Silverstein, Kohl, Rose &  
Podolsky, PA  
East Gate Corporate Center  
308 Harper Dr., Ste. 200  
Moorestown, NJ 08057  
Telephone: 856-662-0700

Phillip A. Bock  
David M. Oppenheim  
Bock, Hatch, Lewis & Oppenheim, LLC  
134 N. La Salle St., Ste. 1000  
Chicago, IL 60602  
Telephone: 312-658-5500

*The Court will not render a decision on the pending motion for class certification for an additional 60 days. Within 60 days of this Order, the parties are directed to either file a motion for preliminary approval of the settlement or provide the Court with an additional status update.*

So Ordered this 21<sup>st</sup> day  
of February, 2018  
Noel L. Hillman  
Hon. Noel L. Hillman, USDJ